

COMMENTS TO FCC ON NOTICED OF PROPOSED  
RULEMAKING  
MB DOCKET NO. 07-172, RM-1338.

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While I support this initiative of the Commission there are some alternatives that could also be considered. Daytime AM stations and AM's with PSA authorizations that are so ridiculously low powered as to be impractical to operate could provide nighttime service to their city of license if the concept that was applied to the Class IV AM's years ago when the 250 watt stations became 1kw Day 250 night, and then later 1kw Unlimited could be applied to all Daytime AM's as has been proposed by other broadcast interests. In other words let all daytime AM stations have at least 250 watts or more during nighttime hours.

Lacking any apparent action on those proposals, this proposed rulemaking of granting AM stations FM translators will keep some dying AM operations on the air. In my more than 50 years as a broadcaster I was General Manager of several daytime stations that were the ONLY local service in the city and the county where they were located. Playing a tape of a Friday night high school football game on Saturday morning, reporting the local election returns the next morning certainly denied those stations and local listeners of instant coverage of these events. When there was a local emergency (we had a tornado hit one night and we could not broadcast the weather warnings or cover the aftermath) my daytimer had to wait until daylight the next day to provide local information. Even if we had declared it an emergency and notified the commission and gone on the air, the local listeners would not have the AM station tuned in or expected

it to be on the air since they were used to it only being there during the daytime.

In this proposed rulemaking the Commission asks whether a holder of a full time FM service and a Daytime AM license should be allowed to operate an FM translator for the AM programming. I believe this should be allowed.

I live in a market where there are several group operations ranging from 2 to 5 stations per group. One of them has 2 AM's one a class IV and the other a daytimer. Certainly they should be allowed an FM translator to continue the programming that is on their daytimer. This market is somewhat unique in that for many years the majority of the population and the radio stations were at the lower end of the county and south of the very big Air Force Base. There is one operator north of the base in the county seat with a fulltime FM and a daytime AM. Certainly they should be allowed to license one of these FM translators to give that city and area of the county a second local nighttime service by continuing its AM station's programming. The south end of the county has 10 FM and 4 AM operations owned by 5 licensees. Only two of the FM signals are reasonably listenable in the north end of the county. It is over 42 miles from the north border of this county which is actually at the Florida-Alabama state line down to the south end of the county on the Beaches of the Gulf of Mexico. 1kw AM stations, and 3kw,6kw even 25kw FM's are not going to reach that far north. Another unique limitation to this market is tower height for the FM stations. Because of the Air Force Base there are NO tower's allowed over 500 feet except at the very top of the county within 1 mile of the Alabama state line!

If FCC rules allow a group operator to hold up to five licenses in this market then why deny the holder of 1FM and 1AM Daytimer the right to add a FM translator to give that Daytime AM fulltime service for his area where in reality he is the only local radio service. The 14 stations in the south end of this county devote their programming efforts to the south end of the county. They do not cover any news events or activities in person outside of their part of the county. In reality not many radio station staffs travel

40 miles to provide local information when there is an abundance to cover within 10-15 miles of their stations.

One of the AM stations in Fort Walton has barely 100 watts at night and the AM in Crestview is daytime only. They both should have the opportunity for one of these FM translators.

I want to address one of the technical comments in this NPRM. In some cases it will require more than 250 watts ERP for an FM translator to come close to equaling an AM station's 2 mV/m daytime contour or at least a 25 mile coverage whichever is less. I would hope the Commission will allow an AM operator to file for whatever ERP or antenna height that will allow their FM translator to truly reflect at least the AM station's daytime 2 MV/m or the 25 mile distance.

I don't think LPFM's should be used by commercial AM licenses to extend their nighttime service. In fact I am concerned about the misuse of LPFM authorizations and the proliferation that could happen especially if the Commission drops the 3<sup>rd</sup> adjacent channel protection. A few months ago while driving on a business trip back from Alabama I was listening to a station at 95.5 and began to hear a signal splattering over it. It turned out to be a LPFM at 95.3. As a long ago licensed FCC 1<sup>st</sup> class operator and Ham radio operator I used some simple direction finding methods to determine that I was near this transmitter. Actually I was over 5 miles from it when the splattering started. I later checked the information in the FCC database and learned their transmitter site is over 5 miles from where it is licensed to be. And I was actually able to hear this 100 watt LPFM for a distance of almost 20 miles to the south. And far more of concern to the broadcasting purist I am, it programs totally commercial networks with lots of commercials, and no apparent local programming. If the Commission does adopt the LPFM rulemaking this station is a long way from meeting those requirements. But knowing that the commission field office in Florida tells us Amateur Radio Operators that they barely have enough staff to deal with the pirate operators in central and south Florida, let alone wayward

hams, how are they going to have time to check out hundreds of new LPFM's?

I think possible solutions would be to create the FM translator assignments for the Daytime and the nighttime power handicapped AM stations. Reserve the 6mhz immediately below the current FM band (where TV channel 6 analog will be vacating) for all LPFM and any future Non-Com expansion.

The Commission created an extended band on AM(1610-1700). Manufactuers had to make AM-FM radios and UHF-VHF TV's, and Color compatible with B&W TV all because of changing technology, so requiring AM/FM radios to receive the additional lower frequencies I believe is do-able.

It would not surprise me to see a future proposal that once the FM translators for AM's are operating that someone will want to delete all of the AM assignments for the holders of these FM translator licenses. If the FM translator coverage truly equals the AM maybe that should be considered. Maybe that would resolve some of the interference from IBOC signals that I read about in the trade publications.

Bottom line, lacking improvements to the AM nighttime power restrictions or lack of nighttime service for the more than 700 daytime only stations, granting FM translators is a logical compromise. I also believe these local needs should be met first so that local broadcasters can provide local programming before any translators are approved for national operations that result in nothing more than a national network.